



**State of New Hampshire**  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-3503 FAX (603) 271-2982



Mr. Michael R. Iafolla  
P. O. Box 121  
No. Hampton, New Hampshire 03862

**LETTER OF DEFICIENCY**  
WD WQE 02-01  
January 29, 2002

Re: Filling, grading and processing of soil and rock materials, West Road,  
Portsmouth, NH  
Block 1-7, City of Portsmouth Tax Map R52

Dear Mr. Iafolla:

On January 22, 2002, personnel from the Department of Environmental Services ("DES") conducted an inspection on the subject property ("The Property"). The purpose of this inspection was to determine compliance with RSA 485-A:17 and applicable rules promulgated pursuant thereto. During the inspection, the following deficiencies were documented:

- (1) An area in excess of 100,000 square feet had been disturbed by filling and grading; furthermore, soil and rock materials had been stored and processed on the Property;
- (2) DES has no record of a valid Site Specific Permit for either the filling and grading, or the stockpiling and processing operation;
- (3) Temporary erosion and sedimentation controls had not been installed; and
- (4) Soil stabilization practices had not been implemented


DES believes that the cited deficiencies can be corrected by:

1. Applying for and obtaining a Site Specific Permit prior to conducting or continuing: all earth moving activities, (except the removal of existing stockpiles and activities listed in Item 2 below), to haul materials onto the site, to process stockpiled materials, and/or construction of any type, and
2. Implementing by March 1, 2002, erosion and sedimentation controls and stabilization practices necessary to prevent erosion and sedimentation.

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In the event compliance cannot be achieved within this period, DES may order you to take such remedial measures as may be necessary. Failure to comply with such an Order may result in enforcement action by DES under RSA 485-A:22. In addition, DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Should you have any questions regarding this letter, please contact Denise Frappier at 433-5981.

Very truly yours,  
  
**COPY**  
Rene J. Pelletier, Manager  
Land Resources Management Program

RJP/DMF/BDT  
CERTIFIED MAIL, RRR 7099 3400 0002 9771 4703

cc: Gretchen C. Rule, Enforcement Coordinator-DES  
Russell A. Nylander, P.E.-WD/DES  
Denise M. Frappier-WQE/WD/DES  
Chuck Locke, Gove Construction Services Co., Inc.  
Jason C. Page, Zoning Officer City of Portsmouth  
Planning Department, City of Portsmouth